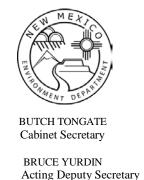


SUSANA MARTINEZ Governor JOHN A. SANCHEZ Lt. Governor

NEW MEXICO ENVIRONMENT DEPARTMENT

Harold Runnels Building 1190 South St. Francis Drive (87505) P.O. Box 5469, Santa Fe, NM 87502-5469 Phone (505) 827-0187 Fax (505) 827-0160 www.env.nm.gov



Certified Mail - Return Receipt Requested

October 9, 2018

Mr. Cameron Kilcup, President Facility BUILD, LLC 5904 Florence Avenue, NE Albuquerque, NM 87121

Re: Facility BUILD; Taos Senior Center; SIC 1542; NPDES Compliance Evaluation Inspection; NPDES Permit No. NMR1001HE; September 20, 2018

Dear Mr. Kilcup:

Enclosed please find a copy of the report and checklist for the referenced inspection that the New Mexico Environment Department (NMED) conducted at your facility on behalf of the U.S. Environmental Protection Agency (USEPA). This inspection report will be sent to the USEPA in Dallas for their review. These inspections are used by USEPA to determine compliance with the National Pollutant Discharge Elimination System (NPDES) permitting program in accordance with requirements of the federal Clean Water Act.

Introduction, detailed site observations, and findings noted during this inspection are discussed in the NPDES Construction General Permit section of the inspection report.

You are encouraged to review the inspection report, required to correct any problems noted during the inspection, and advised to modify your operational and/or administrative procedures, as appropriate. If you have comments on or concerns with the basis for the findings in the NMED inspection report, please contact us (see the address below) in writing within 30 days from the date of this letter. Further, you are encouraged to notify in writing both the USEPA and NMED regarding modifications and compliance schedules at the addresses below:

Robert Houston Environmental Protection Agency, Region 6 NPDES Enforcement Branch (6EN-WS) 1445 Ross Avenue, Suite 1200 Dallas, Texas 75202-2733 Program Manager New Mexico Environment Department Surface Water Quality Bureau (N2050) Point Source Regulation Section P.O. Box 5469 Santa Fe, New Mexico 87502 Facility BUILD/Taos Senior Center October 9, 2018 Page 2

Robert Houston (Houston.Robert@epa.gov) is the USEPA Region 6's Stormwater Enforcement Coordinator at the above address. If you have any questions about this inspection report, please contact Sandra Gabaldon at 505-827-1041 or at Sandra.gabaldon@state.nm.us.

Sincerely,

/s/ Sarah Holcomb

Sarah Holcomb Program Manager Point Source Regulation Section Surface Water Quality Bureau

cc: Carol Peters-Wagnon, USEPA (6EN-WM) by e-mail Nancy Williams, USEPA (6EN-WC) by e-mail Amy Andrews, USEPA (6EN-WM) by e-mail David Esparza, USEPA (6EN-WM) by e-mail Robert Houston, USEPA (6EN)
Darlene Whitten-Hill, USEPA (6EN) by e-mail

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NPDES Compliance Inspection Report

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Taos County, Owner

Taos Senior Center Construction General Permit (CGP) Compliance Evaluation Inspection (CEI)

September 20, 2018

Introduction:

On September 20, 2018, a Compliance Evaluation Inspection (CEI) was conducted at the Facility BUILD/Taos County Senior Center, located at Albright & Lovato Place, Town of Taos, Taos, New Mexico. The site has a Notice of Intent (NOI) submitted by Facility Build on July 26, 2018, with NPDES (National Pollutant Discharge Elimination System) tracking number assigned NMR1001HE. Taos County is assigned NPDES tracking number NMU001980. The inspection was conducted by Ms. Sandra Gabaldon and Mr. Daniel Valenta of the State of New Mexico Environment Department (NMED), Surface Water Quality Bureau (SWQB).

The CEI was completed on behalf of the U.S. Environmental Protection Agency (USEPA), Region 6, under the NPDES permit program, in accordance with the federal Clean Water Act (CWA). These inspections are used to evaluate compliance with the NPDES permit program. This inspection report is based on information supplied by the permittee representatives, observations made by the NMED inspectors, and reports and records kept by the permittee and/or USEPA.

The Taos County Senior Center will provide development of access, infrastructure, utilities permanent drainage, and permanent stabilization for the construction of a new senior citizens center with utilities and paving. Taos County Senior Center is a gross two (2) acre project with a disturbed acreage of 1.75 acres. The maximum area expected to be disturbed at any one time is 1.75 acres.

Soil disturbing activities may include but not necessarily limited to: clearing and grubbing, rough grading, installation of perimeter controls as well as other erosion and sediment management control measures, construction of infrastructure, installation of utilities, permanent drainage and construction of pavement sections for construction of the new center.

Permit and SWPPP observations:

There are two operators on site. The Town of Taos is the owner of the project and has control over plans and specifications for the site and Facility BUILD, LLC has day-to-day operation as stated in Appendix A definition of "operator" (The party has day-to-day operational control of those activities at a project that are necessary to ensure compliance with the permit conditions and they are authorized to direct workers at a site to carry out activities required by the permit.

Inspections Plus is a third-party consultant hired by Facility BUILD, LLC to perform inspections.

The copy of the SWPPP is kept on site and was signed by Robert Pino, Facility BUILD, LLC., on July 26, 2018. There are no signatures provided in the Storm Water Pollution Prevention Plan (SWPPP) by the owner, Taos County.

Copy of SWPPP provided on site.

The copy of the SWPPP was provided by Harold Toledo, Foreman, Facility BUILD at the construction trailer during this inspection.

Part I of the CGP:

<u>Eligibility of Coverage – Endangered Species Act:</u>

Endangered Species Protection requires the operator to follow the procedures in Appendix D of the permit to determine eligibility under one of the criteria A-F. The operator chose Criterion A, which states, "No ESA-listed species and/or designated critical habitat present in action area".

The documentation provided in the SWPPP includes a consultation with United States Fish and Wildlife Service (USFWS), along with the iPac Mapping Tool information.

The iPac states there are mammals (Canada Lynx and New Mexico Meadow Jumping Mouse) along with Migratory Birds (Mexican Spotted Owl, Southwestern Willow Flycatcher and the Yellow-billed Cuckoo). The iPac indicates that the construction location is outside the critical habitat.

<u>Eligibility of Coverage – Historic Properties</u>:

Section 106 of the National Historic Preservation Act (NHPA) requires all construction operators to follow the screening process to determine if your installation of storm water controls has the potential to cause effects to historic properties. The site has a retention pond, which indicates subsurface earth disturbance. The SWPPP states "Prior surveys or evaluations conducted on the site already determined that historic properties do not exist." There are no documents provided in the SWPPP to substantiate this statement.

Part 1.5 Requirement to Post a Notice of Your Permit Coverage:

Facility BUILD posted a sign with information regarding the NPDES tracking number, the contact name and phone number for obtaining additional construction site information, and the EPA Regional Office.

Part II of the CGP:

Part 2.2.4: Minimize Sediment Track-Out:

- a. Restrict vehicle use to properly designated exit points.
- b. Use appropriate stabilization techniques (e.g., use of aggregate stone with an underlying geotextile or non-woven filter fabric, and turf mat(s) at all points that exit onto paved roads.
- c. Implement additional track-out controls (e.g., wheel washing, rumble strips, and rattle plates) as necessary to ensure that sediment removal occurs prior to vehicle exit; and
- d. Where sediment has been tracked out from your site onto paved roads, sidewalks or other paved areas outside of your site, remove the deposited sediment by the end of the same business day in which the track-out occurs or by the end of the next business day if track-out occurs on a non-business day. Remove the track-out by sweeping, shoveling, or vacuuming these surfaces, or by using other similarly effective means of sediment removal. You are prohibited from hosing or sweeping tacked-out sediment into any stormwater conveyance, storm drain inlet, or water of the U.S.

The site has an aggregate stone exit, but it is not being used by construction traffic.

Part 2.2.5: Manage Stockpiles or Land-Clearing Debris Piles:

c. For piles that will be unused for 14 or more days, provide cover (e.g., tarps, blown straw and hydroseeding) or appropriate temporary stabilization.

There is a stockpile of dirt located within the fence line of the project site. The foreman stated he believes it has been located there longer than 14 days but was unsure.

Part 2.3.3 For storage, handling, and disposal of building products, materials and wastes:

- e. For construction and domestic wastes:
 - i. Provide waste containers (e.g., dumpster, trash receptacle) of sufficient size and number to contain construction and domestic wastes.
 - ii. Keep waste container lids closed when not in use and close lids at the end of the business day for those containers that are actively used throughout the day.

The operator has a trash bin provided for construction; however; they need to be maintained so that they can be closed at the end of each business day.

The pile of construction debris left on the ground should also be stored in a waste container rather than placed on the ground.

<u>Part 2.3.4 For washing applicators and containers used for stucco, paint, concrete, form release oils, curing compounds or other materials:</u>

- b. Handle washout or cleanout wastes as follows:
 - i. Do not dump liquid wastes in storm sewers or waters of the U.S.;
 - ii. Dispose of liquid wastes in accordance with applicable requirements in Part 2.3.3; and
 - iii. Remove and dispose of hardened concrete waste consistent with your handling of other construction wastes in Part 2.3.3.

The concrete lined pit needs some maintenance as it is nearing capacity, along with solid pieces of concrete as shown in the photo #2.

Photographer: Daniel Valenta Date: September 20, 2018 Time: 1258 Hours

City/County: Town of Taos / Taos State: New Mexico

Location: Taos Senior Center / Albright & Lovato Pl

Subject: Appearance of run-on from adjacent vacant lot with break in berm.



Photographer: Daniel Valenta Date: September 20, 2018 Time: 1258 Hours

City/County: Town of Taos / Taos State: New Mexico

Location: Taos Senior Center / Albright & Lovato Pl

Subject: Hardened Cement on the ground



Photographer: Daniel Valenta	Date: September 20, 2018	Time: 1302 Hours						
City/County: Town of Taos / Taos	State: New Mexico							
Location: Taos Senior Center / Albright & Lovato Pl								
Subject: Aggregate entrance, not being used.								



Photographer: Daniel Valenta	Date: September 20, 2018	Time: 1304 Hours						
City/County: Town of Taos / Taos	State: New Mexico							
Location: Taos Senior Center / Albright & Lovato Pl								
Subject: Uncovered bin.								



Photographer: Daniel Valenta	Date: September 20, 2018	Time: 1256 Hours						
City/County: Town of Taos / Taos	State: New Mexico							
Location: Taos Senior Center / Albright & Lovato Pl								
Subject: Stockniled dirt / dried cement outside the cement lined nit								

